

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
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CLERK OF COURT

Elisa C., Cheryll M., and Catherine P, persons with
developmental disabilities, by LA FAMILIA, INC.,
their guardian,

Plaintiffs,

vs.

NEW MEXICO DEPARTMENT OF HEALTH,
et al.,

Defendants.

No. CIV 05-209 LII/WDS

PLAINTIFFS' MOTION TO REMAND TO STATE COURT
AND REQUEST FOR ATTORNEYS' FEES

COME NOW, Plaintiffs Elisa C., Cheryll M., and Catherine P., persons with developmental disabilities, by La Familia, Inc., their guardian, and pursuant to 28 U.S.C. §1447 hereby move the Court for an order (i) remanding this case to the First Judicial District Court, County of Santa Fe, State of New Mexico, and (ii) awarding Plaintiffs their reasonable attorneys' fees and costs as a result of the improper removal of this action to federal court for the reasons set forth in Plaintiffs' Memorandum in Support of Motion to Remand and Request for Attorneys' Fees filed contemporaneously herewith. Counsel for Plaintiffs have determined that this motion is opposed.

Respectfully Submitted,

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We hereby certify that a copy of the foregoing pleading was served by first-class mail to the following counsel of record:

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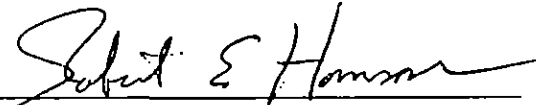
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on this 18th day of March 2005.

PEIFER, HANSON & MULLINS, P.A.

By: 
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